

DECISION



29459

THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-216320

DATE: September 28, 1984

MATTER OF: Clark International Security
Inc.

DIGEST:

GAO will not review affirmative determination of responsibility except in limited circumstances.

Clark International Security Inc. (Clark) protests the award of a contract for barbed tape concertina to Michael Industries, Inc. (Michael), under invitation for bids No. DLA700-84-B-0115 issued by the Defense Construction Supply Center.

Clark contends that Michael is not responsible due to below-cost pricing and inability to perform.

We do not review a contracting officer's affirmative determination of responsibility absent a showing that the determination was made fraudulently or in bad faith or that definitive responsibility criteria in the solicitation were not met. 4 C.F.R. § 21.3(g)(4) (1984); Brandhurst Incorporated, B-214829, June 26, 1984, 84-1 C.P.D. ¶ 669. Neither exception is alleged here.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

030209